

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN K. WALTON,

Plaintiff,

vs.

MICHEAL MYERS, Director;
WEST, Captain; SULLIVAN, Lt.;
MOSS, Sgt.; GILLISPIE, Officer; and
PENAHERRARA, Officer;

Defendants.

8:20CV224

**MEMORANDUM
AND ORDER**

This matter is before the court on Plaintiff's motion for an unspecified extension of time to file an amended complaint. The court will give Plaintiff an additional 30 days, until March 8, 2021, to file an amended complaint.

Plaintiff also asks how to obtain a copy of "the original form [he] wrote the 1983 suit on." To the extent this may be construed as a motion to obtain a free copy of his original Complaint, the motion will be denied. The statutory right to proceed in forma pauperis does not include the right to receive copies of documents without payment. 28 U.S.C. § 1915; *see also Haymes v. Smith*, 73 F.R.D. 572, 574 (W.D.N.Y. 1976) ("The generally recognized rule is that a court may not authorize the commitment of federal funds to underwrite the necessary expenditures of an indigent civil litigant's action.") (citing *Tyler v. Lark*, 472 F.2d 1077, 1078 (8th Cir. 1973)). If Plaintiff requires copies of court documents, he should contact the clerk's office to determine the proper method of requesting and paying for copies.

IT IS THEREFORE ORDERED:

1. Plaintiff's motion for extension of time (Filing 24) is granted, as follows: Plaintiff shall have until March 8, 2021, to file an amended complaint in accordance with the court's previous Memorandum and Order (Filing 23). Failure to file an amended complaint within the time specified by the court will result in the court dismissing this case without further notice to Plaintiff.

2. Plaintiff's motion for copies (Filing 24) is denied. The clerk's office is directed to provide Plaintiff a response as to the cost for a copy of the original Complaint.
3. The clerk's office is directed to set a pro se case management deadline in this case using the following text: March 8, 2021, amended complaint due.

Dated this 8th day of February, 2021.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge